

Todd E. Zenger (5238)  
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Attorney for Plaintiff

IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF UTAH

CRIMINAL PRODUCTIONS, INC.,

Plaintiff,

vs.

DOES 1-32,

Defendants.

Civil Action No. 2:17-cv-00550-DBP

Magistrate Judge Dustin B. Pead

**DECLARATION  
OF  
TODD ZENGER**

The Declarant, Todd E. Zenger, states:

1. I am a citizen of the United States and of an age greater than twenty-one.
2. I am counsel for Plaintiff in this matter.
3. I make this statement based on my own personal knowledge and experience.
4. On December 14, 2017, after being served, Mr. Brinkley called me by telephone.
5. Mr. Brinkley stated that he had been served with a summons and complaint.
6. He stated he had had a roommate from April 2016 to October 2017 who used the Internet to watch movies.

7. In an effort to resolve the matter, I asked Mr. Brinkley to provide exculpatory evidence, a sworn statement as to his non-involvement and any information he could provide which would allow Plaintiff to identify and contact the infringer and/or his roommate.
8. In exchange, Mr. Brinkley was promised to be dismissed without further legal proceedings.
9. Mr. Brinkley refused all requests and promises.
10. I explained to Mr. Brinkley that if he chose not to provide the requested information I would be able to receive the information through court discovery.
11. I invited him to reconsider his refusal.
12. Mr. Brinkley would not even provide an email address for further communications.
13. Mr. Brinkley never stated he was represented by counsel.
14. I declare under penalty of perjury of the United States that the forgoing is true and correct.

DATED: August 14, 2018

By: /s/Todd E. Zenger  
Todd E. Zenger